

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 2:17-mj-01174- GWF

Plaintiff,

v.

**ORDER**

DAVID HOWARD BABIT,

Defendant.

This matter is before the Court on Defendant's Motion for Extended Library Time (ECF No. 15), filed June 29, 2018.

**BACKGROUND AND DISCUSSION**

Defendant filed the instant motion requesting an order instructing the Nevada Southern Detention Center ("Detention Center") to extend his library time so that he may complete an online curriculum program. ECF No. 15. Defendant represents that he is one month behind in his coursework and needs up to six (6) hours a day of time in the library or specialized library equipment in his dormitory or cell to complete his educational program. *Id.*

Federal courts have long recognized that prison authorities must provide inmates with "meaningful access" to the courts. *Bounds v. Smith*, 430 U.S. 817, 877 (1977). This same right is guaranteed to pre-trial detainees. *See Leeds v. Watson*, 630 F. 2d 674, 675-76 (9th Cir. 1980). Meaningful access requires prison authorities to provide "adequate law libraries or adequate assistance from persons trained in the law." *Bounds*, 430 U.S. at 828. When an inmate is provided adequate access, he may not reject the method of access provided and insist on a method of access of his choosing. *Id.* Here, Defendant's request for extended library time does not relate to preparing his defense. Rather, he seeks additional library time to achieve his educational goals.

1 The Court will not interfere with the Detention Centers operations, absent a  
2 Constitutional violation. Thus, the Court defers to the Detention Center in terms of its ability or  
3 inability to accommodate Defendant's request. Accordingly,

4 **IT IS HEREBY ORDERED** Defendant's Motion for Extended Library Time (ECF No.  
5 15) is **denied**.

6 Dated this 5th day of July, 2018.

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GEORGE FOLEY, JR.  
UNITED STATES MAGISTRATE JUDGE  
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